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PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

IN RE APPLICATION OF: Catania, Anna *et al.*
 APPLICATION NO.: 09/533,341
 FILED: March 23, 2000
 FOR: **ANTIMICROBIAL AND ANTI-INFLAMMATORY
 PEPTIDES FOR USE IN HUMAN
 IMMUNODEFICIENCY VIRUS**

EXAMINER: Jeffrey S. Parkin
 Ph.D.
 ART UNIT: 1648

TECH CENTER 1600/2900

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Request for Continued Examination (RCE) Transmittal

Subsection (b) of 35 U.S.C. §132, effective on May 29, 2000, provides for continued examination of an utility or plant application, filed on or after June 8, 1995.

See The American Inventors Protection Act of 1999 (AIPA).

**Box: RCE
 Assistant Commissioner for Patents
 Washington, D.C. 20231**

Sir:

This is a Request for Continued Examination (RCE) under 37 C.F.R. §1.114 of the above-identified application.

Note: 37 C.F.R. §1.114 is effective on May 29, 2000. If the above-identified application was filed prior to May 29, 2000, applicant may wish to consider filing a continued prosecution application (CPA) under 37 C.F.R. §1.53(d) (PTO/SB/29) instead of a RCE to be eligible for the patent term adjustment provisions of the AIPA. See changes to Application Examination and Provisional Application Practice, Interim Rule, 65 Fed. Reg. 14865 (Mar. 20, 2000), 1233 Off. Gaz. Pat. Office 47 (Apr. 11, 2000), which established RCE practice.

1. **Submission required under 37 C.F.R. §1.114**

- a. ☐ Previously submitted
- ☐ Consider the amendment(s)/reply under 37 C.F.R. §1.116 previously filed
 (Any unentered amendment(s) referred to above will be entered.)
- ☐ Consider the arguments in the Appeal Brief or Reply Brief previously filed on
- ☐ Other

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- b. ☐ Enclosed
☒ Amendment/Reply
☐ Affidavit(s)/Declaration(s)
☐ Information Disclosure Statement (IDS)
☐ Other

2. Miscellaneous

- a. ☐ Suspension of action on the above-identified application is requested under 37 C.F.R. §1.103(c) for a period of _____ months.
(Period of suspension shall not exceed 3 months; Fee under 37 C.F.R. §1.17(i) required)


- b. ☐ Other

3. Fees *The RCE fee under 37 C.F.R. §1.17(e) is required by 37 C.F.R. §1.114 when RCE is filed.*

- a. ☒ The Director is hereby authorized to charge the following fees, or credit any overpayments, to Deposit Account No. 50-0665.
- b. ☐ A check in the amount of \$ _____ is enclosed to cover the following fees.
☒ RCE fee of \$ 370.00 required under 37 C.F.R. §1.17(e)
☒ One Month Extension of time fee (37 C.F.R. §1.136 and §1.17)
☐ Other
- c. ☒ The Director is hereby authorized to charge any underpayment in fees (or credit any overpayments) to Deposit Account No. 50-0665.

Respectfully submitted,
Perkins Coie LLP

Date: 12/27/02



James J. Zhu, Ph.D.
Registration No. 52,396

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Amendment Under 37 C.F.R. § 1.114

Assistant Commissioner for Patents
Washington, D.C. 20231

Dear Sir:

The present communication is filed concurrently with a Request for Continued Examination and responds to the Office Action dated August 28, 2002, regarding the above-identified application. Please amend the application and review the remarks as follows. The attached Appendix presents versions with Markings to Show the Changes made by the current amendment and a Clean Set of Claims.

CERTIFICATE OF MAILING
(37 C.F.R. §1.8a)

I hereby certify that this paper (along with any referred to as being attached or enclosed) is being deposited with the United States Postal Service on the date shown below with sufficient postage as First Class Mail in an envelope addressed to Box Amendment, Commissioner for Patents, Washington, D.C. 20231.

MICHELLE C. JACKSON

Name of Person Mailing Paper

December 27, 2002
Date of Deposit

[Signature]
Signature of Person Mailing Paper